

Service Date: September 21, 2000

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER OF MONTANA POWER	)	UTILITY DIVISION
COMPANY, Application for Approval of	)	
Increased Rates for Non-Supply Components	)	DOCKET NO. D2000.8.113
of Electric and Natural Gas Services to	)	
Consumers in Montana	)	ORDER NO. 6271a

PROTECTIVE ORDER

On September 12, 2000, Montana Power Company (MPC) filed a Motion for Protective Order to govern certain information expected to be filed in the above-entitled proceeding. MPC requests protection of information relating to forecast financial data, such as capital structure, return on equity, funds flow, interest charges, and average total debt. MPC argues that the identified information is trade secret in accordance with § 30-14-402, MCA, and has been protected in previous MPC cases before the Public Service Commission (PSC). MPC also requests protection of additional trade secret information that may be filed during the course of this proceeding.

The PSC determines that the identified forecast financial data is information could be confidential and subject to protection from public disclosure pursuant to § 69-3-105, MCA. Therefore, the PSC grants MPC's request and hereby orders that forecast financial information submitted in accordance with this Order be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030. The PSC also extends this Order to additional trade secret information that may be filed by MPC during the course of this proceeding, but the additional information must be reasonably within a category of information the PSC has routinely protected as confidential in previous MPC cases before the PSC.

Done and dated this 19th day of September, 2000, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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DAVE FISHER, Chair

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NANCY MCCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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GARY FELAND, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Montana Public Service Commission  
Protective Orders and Protection of Confidential Information

## **Nondisclosure Agreement**

(7-26-00)  
ARM 38.2.5012

Docket No. D2000.8.113, Order No. 6271a  
Order Action Date: September 19, 2000

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

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Typed or Printed Name

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Signature

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Date of Signature

Business Address:

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Employer

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Party Represented

